

### **REMARKS**

In the Official Action mailed **26 August 2005**, the Examiner reviewed claims 1, 3-5, 7-11, 13-15, 17-21, 23-25, and 27. Claims 1, 11 and 21 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 3-5, 7-11, 13-15, 17-21, 23-25, and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Maier et al (USPN 5,625,815, hereinafter "Maier") in view of Elmasri et al (*Fundamentals of Database System*, Copyright 2000, hereinafter "Elmasri").

#### **Rejections under 35 U.S.C. §112**

Claims 1, 11 and 21 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, Applicant has amended independent claims 1, 11 and 21 to remove the clauses that contain "can be" phrase. Hence, claim 1, 11 and 21 are made definite to what is claimed as the invention and are in condition for allowance.

#### **Rejections under 35 U.S.C. §103(a)**

Claims 1, 3-5, 7-11, 13-15, 17-21, 23-25, and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Maier in view of Elmasri. Applicant respectfully points out that Maier teaches a transaction manager in a database server that creates audit entries for **each transaction**, which are durably stored in an audit trail file in secondary memory (see Maier, col. 4, lines 10-12).

In contrast, the present invention teaches a database server that processes queries for a relational table which includes at least one auditing flag. The auditing flag indicates whether auditing is enabled for a query and the database server determines if auditing is enabled upon receiving the query by checking the auditing

flag. Only if the auditing flag is set, does the database server create auditing records for the corresponding query (see page 7, lines 9-12 and page 7, lines 26-27 to page 8, lines 1-2 of the instant application). Note that the auditing flag is embedded in a row-level field of the relational table, therefore is part of the relational table. However, in the database system of Maier, neither a database table nor an alternate index include a field, either explicitly or implicitly, that is used as an indicator for enabling the creation of an audit trail (see Maier, col. 4, lines 61-67, col. 5, lines 1-53, and FIG. 2A-2C).

Maintaining an auditing flag in the relational table is beneficial because it allows the database server to quickly determine which relational tables or which rows in a relational table should be audited upon receiving a query for the relational table. For example, if a relational table does not contain sensitive data, auditing flag helps to avoid an auditing process on this relational table, such as checking the auditing conditions, thereby saving query time. If the same relational table is modified with new sensitive data, the corresponding auditing flags can be set to allow auditing upon receiving a new query.

There is nothing within Maier or Elmasri, either separately or in concert, which suggests a database table including an auditing flag or an auditing indicator embedded in the database table which indicates whether auditing is enabled for the database table, and enabling an audit trail based on such an auditing flag or indicator.

Accordingly, Applicant has amended independent claims 1, 11, and 21 to clarify that the present invention relates to a relational table which includes an auditing flag, which indicates whether auditing is enabled for the relational table and the database server determines if auditing is enabled by checking the auditing flag upon receiving a query for the relational table. These amendments find support on page 7, lines 9-12 and page 7, lines 26-27 to page 8, lines 1-2 of the instant application.

Hence, Applicant respectfully submits that independent claims 1, 11, and 21 as presently amended are in condition for allowance. Applicant also submits that claims 3-5, 7-10 and 31, which depend upon claim 1, claims 13-15, claims 17-20 and 32, which depend upon claim 11, and claims 23-25, 27-30 and 33, which

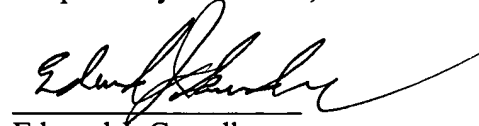
depend upon claim 21, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

## CONCLUSION

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

By



Edward J. Grundler

Registration No. 47,615

Date: 1 November 2005

Edward J. Grundler  
PARK, VAUGHAN & FLEMING LLP  
2820 Fifth Street  
Davis, CA 95616-7759  
Tel: (530) 759-1663  
FAX: (530) 759-1665  
Email: edward@parklegal.com